From:	HarborComments
To:	PortlandHarbor
Subject:	Comments on Proposed Explanation of Significant Difference for Portland Harbor Superfund Site
Date:	Monday, December 24, 2018 1:29:50 AM

From: Jennifer L. Sanscrainte <jsanscrainte@omwlaw.com>
Sent: Friday, December 21, 2018 3:36 PM
To: HarborComments <HarborComments@epa.gov>
Subject: Comments on Proposed Explanation of Significant Difference for Portland Harbor Superfund Site

U.S. Environmental Protection Agency
805 SW Broadway, Suite 500
Portland, OR 97205

Attn: Portland Harbor Superfund Comments

On behalf of Daimler Trucks North America LLC ("Daimler"), I submit the following comments on the *Proposed Explanation of Significant Differences, Portland Harbor Superfund Site* (the "ESD" put forward by U.S. Environmental Protection Agency Region 10 ("EPA") in October 2018. Daimler appreciates the opportunity to provide comments on these proposed significant changes to the selected in-river remedy for the Portland Harbor Superfund Site ("Site"), as documented in Record of Decision (ROD) for the Site issued by EPA. The purpose of the proposed ESD is to document (1) changes to the sediment cleanup levels (CULs) and target tissue level for shellfish for carcinogenic polycyclic aromatic hydrocarbons (cPAHs) measured as benzo(a)pyrene equivalents (BaPeq); (2) a change to the remedial action level (RAL) for total polycyclic aromatic hydrocarbons (PAHs) for areas of the Site outside of the Navigation Channel; and (3) a correction to the cPAH Shellfish consumption sediment cleanup level.

After EPA issued the ROD in January 2017, EPA released an updated *Toxicological Review of Benzo(a)pyrene* (BaP) (EPA 2017). The toxicological review developed a revised oral cancer slope factor based on review of publicly available studies under EPA's Integrated Risk Information System (IRIS). The toxicological review revised the oral cancer slope factor finding BaP less toxic for people exposed to BaP. Additionally, EPA identified a mathematical error in calculating the relationship between BaP in sediments and clam tissue. The use of more current toxicological information and the correction of error will produce more accurate cPAH CULs, Remedial Action Levels, and principal threat waste thresholds, refining sediment management area footprints at the Site where PAHs are remedy drivers.

Cleanup decisions for Portland Harbor Superfund Site should be based on the Best Available Science. Daimler therefore strongly supports the use of the most current toxicological data. Cleanup decisions should also be based on accurate data and therefore errors should be corrected. Thus, the cleanup decisions for Portland Harbor Superfund Site should be adjusted based on both these significant differences. Consequently, Daimler supports the revisions proposed in the ESD.

Thank you for the opportunity to comment.

Jennifer Sanscrainte

Jennifer L. Sanscrainte | Member

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